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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re United States Patent Application of:****Applicant: KOPF, Henry B.****Application No.: 09/829,217****Date Filed: April 9, 2001****Title: CULTURE DEVICE AND
METHOD****Docket No.: 2780-105 DIV 2****Examiner: Redding, David A.****Art Group: 1744****Confirm. No.: 8633****Customer No.:****23448****EXPRESS MAIL CERTIFICATE**

I hereby certify that I am mailing the attached documents to the Commissioner for Patents on the date specified, in an envelope addressed to the Mail Stop Non-Fee Amendment, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, and Express Mailed under the provisions of 37 CFR 1.10.

Candace White

March 30, 2004

Date

EO001641270US

Express Mail Label Number

**RESPONSE TO MARCH 22, 2004 OFFICE ACTION
IN UNITED STATES PATENT APPLICATION NO. 09/829,217**

Mail Stop Non-Fee Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

This responds to the March 22, 2004 Office Action in the above-identified application.

In such Office Action, the Examiner imposed a restriction requirement against claims 1-19, as between Group I claims 13-19 and Group II claims 1-12.

It is pointed out that no meaningful response can be made to such restriction requirement, for the reason that claims 1-19 cited by the Examiner were cancelled in the Preliminary Amendment filed April 9, 2001 in this application, with such Preliminary Amendment adding claims 20-84.

Claims 20-84 thus were validly present in the application and were reflected in the USPTO filing receipt issued for the application on July 17, 2001 (this document indicated the application as then containing 65 claims, which corresponds to the added claims 20-84 introduced by the Preliminary Amendment).

Subsequently, on November 12, 2003 a second Preliminary Amendment was filed, in which claims 20-23, 29, 36-38 and 41-83 were cancelled and claims 85-141 were added.

Thus, as of the present date, the claims pending in the application are claims 24-28, 30-35, 39-40 and 84-141.

Enclosed in support of this reply is a copy of the aforementioned USPTO filing receipt issued July 17, 2001 indicating 65 claims as then pending in the application, and a copy of the November 12, 2003 Preliminary Amendment, together with a copy of the return postcard stamped by the mailroom of the Patent and Trademark Office with the filing date of November 12, 2003, evidencing the USPTO receipt of such Preliminary Amendment.

It therefore is requested that the Examiner vacate the March 22, 2004 Office Action, in favor of a further Office Action directed to the currently pending claims 24-28, 30-35, 39-40, and 84-141.

For the sake of good order, a listing of all claims 1-141 is set out in the following Section I (Listing of Claims).